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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/480,883	01/10/2000	SCOTT T. ALLAN	A-65188-1/TO	4877
30636 7590 08/31/2007 FAY KAPLUN & MARCIN, LLP 150 BROADWAY, SUITE 702 NEW YORK, NY 10038			EXAMINER CHAMPAGNE, LUNA	
			ART UNIT 3627	PAPER NUMBER
			MAIL DATE 08/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/480,883

Applicant(s)

ALLAN ET AL.

Examiner

Luna Champagne

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 38-41 and 45-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 38-41, 45-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Amendment received on July 17, 2007 has been acknowledged. Claims 38-41, and 45-58 have been presented for examination. Claims 1-37, 42-44, 59, 60 are cancelled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 38-41, 45-50, 52 and 56-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini, in view of Francini (EU 0474 360 A2), and further in view of Robinson.

Tognazzini discloses a method with the steps of receiving a transaction record, the transaction record corresponding to a consumer (via a customer digital receipt), storing the transaction record in a transaction database (via digital delivery of customer receipt to a user's electronic mail box and/or a user's smart card for later retrieval; or via credit card company retaining receipt in a database) which includes a plurality of transaction record (since smart cards store a wide variety of information in digital format; col. 1, lines 48-55; col. 3, lines 4-8), providing access by a user computer to the transaction record in the transaction database (col. 2, lines 63-65), wherein the

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transaction database restrict access by the user to the transaction records corresponding to role defined by the user (since it is configured to retrieve receipt information from an electronic mail box having an electronic mail address to the corresponding customer; col. 6, lines 35-39; see also col. 2, lines 34-37; via using an electronic mail address and the traveler's public encryption key stored in a database), and allowing the user to search the transaction records relevant to the user (col. 3, lines 15-20). Tognazzini further discloses the step of providing an image of the transaction record to the user (as illustrated in Figure 4), forwarding a copy of the transaction record to a merchant involved in the transaction (via sending to the electronic mail box of the person who prepares the travel voucher such as a merchant or agent, a copy of the receipt). Tognazzini further discloses providing access by a plurality of users to the transaction database (via receipt information retaining in a database), where the role is one of a merchant (col. 3, lines 9-38), where the merchant includes access to the transaction database that is restricted to viewing the transaction records relevant to the plurality of users (via providing electronic copy of receipt to merchant (col. 5, lines 12-15). Tognazzini further discloses the step of the transaction database restricting access by the merchant to the transaction records corresponding to the merchant (via retrieving receipt information from an electronic mail box having an electronic mail address of the corresponding merchant). Tognazzini further discloses compiling the transaction records relevant to the user into a bill, wherein the bill is a summary of the transaction records (via utilized to formulate an expense report; col. 6, lines 61-65). Tognazzini further discloses the role of the consumer includes access to the transaction database

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that is restricted to viewing the transaction records relevant only to the consumer (via the electronic receipt may be sent to the customer as well as to whomever prepares his or her travel vouchers. The electronic copy of the receipt may be in an electronic data interchange format.)

Although Tognazzini discloses transaction record are retained in a database for re-transmission, for audit or historical purposes, however, Tognazzini fails to explicitly disclose electronically captured signature from the point of sale and sending transaction record based on request made by the user.

Francini discloses the concept of validating transaction employing electronic receipt having means for electronically capturing data, supplied by the customer including electronically capturing customer signature using a combination of a CRT and light pen (col. 2, lines 28-37). Francini further discloses cardholder disputing a bill on his statement and contact the issuer. From this teaching of Francini, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the generation of digital receipt of Tognazzini to include the electronically captured signature taught by Francini in order to facilitate validation of transaction record.

However, the Tognazzini and Francini combination fails to explicitly disclose restricting the access to corresponding role by defined user, at least two of the users having different roles; the transaction record is accessible to a plurality of users and the access including initiating an action using the user computer related to a transaction. The Tognazzini and Francini combination also fails to disclose explicitly the step of including one of correcting a transaction, canceling a portion of the transaction,

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repeating a portion of the transaction as part of a new transaction, and modifying a portion of the transaction.

Robinson discloses restricting the access to corresponding role by defined user, at least two of the users having different roles (**merchant uses its own secret/public-key cryptographic system so that no other party may re-encrypt an altered version of the transaction record. See col. 5, lines 25-52**); encrypting digital receipt for electronic transaction where a copy of transaction record is stored on a database. The transaction record can be decryptable only by the merchant, or someone with authority of the merchant. Further, the transaction record is decrypted by the merchant computer and the transaction information is extracted. The merchant is able to easily verify the exact time an order was placed and whether or not a particular delivery was late and may offer substantial discounts for late deliveries. Robinson further discloses the step of including one of correcting a transaction, canceling a portion of the transaction, repeating a portion of the transaction as part of a new transaction, and modifying a portion of the transaction (allows the customer to choose options such as "Place Order" and **Cancel Order**". See col. 3, line 67 and col. 4, line 1).

From this teaching of Robinson, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the Tognazzini and Francini combination to include the restriction of the access to corresponding role by defined user, at least two of the users having different roles; the access to a plurality of authorized users by the merchant and the step of including one of correcting a transaction, canceling a portion of the transaction, repeating a portion of the transaction

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as part of a new transaction, and modifying a portion of the transaction, as taught by Robinson, in order to assure that transaction record has not been tampered with to provide flexibility to the users (*See e.g., Robinson col. 2, lines 66-67*).

As per claims 56 and 57, Francini discloses the concept of having the transaction database transmits information (such as transaction record) to the point-of-sale terminal for display at the point-of-sale terminal (via CRT screen col. 7, lines 15-23). From this teaching of Francini, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the processing of purchase transactions over the network of Tognazzini to include the display of transaction data in order to facilitate validation of the transaction.

4. Claims 51, 53-55 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tognazzini (5,739,512), in view of Robinson et al. (5,915,022)

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Tognazzini discloses a point of sale terminal (such as a merchant terminal) that generates a transaction record (digital receipt) according to a transaction with a consumer (col. 2, lines 40-46), and a transaction database accessible by a user computer (such as a credit card company computer system that would retain the receipt in a database for re-transmission) that receives and stores the transaction record from the point of sale terminal over a network (col. 2, lines 31-34), wherein the transaction database restrict access by a user to the transaction records corresponding to a role

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defined for the user (col. 2, lines 34-37; via using an electronic mail address and the traveler's public encryption key stored in a database). Tognazzini further discloses that the point-of-sale terminal is one of a card reader (via card reader for reading customer cards). The transaction record includes at least one of a price, a product a service, a payment method and an electronically captured signature (as illustrated in Figure 4). Tognazzini, in another embodiment, further discloses that the transaction database stores a plurality of transaction records associated with a plurality of users (via a central computer associated with a plurality of merchant terminals; col. 3, lines 28-38). Further, the role is one of the consumer (via the traveler's public encryption key stored in a database and/or electronic mail address). The transaction database allows the user to search the transaction records relevant to the user (col. 3, lines 15-20).

However, Tognazzini fails to explicitly disclose the transaction record is accessible to a plurality of users and the access including initiating an action using the user computer related to a transaction; restricting the access to corresponding role by defined user, at least two of the users having different; the step of including one of correcting a transaction, canceling a portion of the transaction, repeating a portion of the transaction as part of a new transaction, and modifying a portion of the transaction.

Robinson discloses encrypting digital receipt for electronic transaction where a copy of transaction record is stored on a database. The transaction record can be decryptable only by the merchant, or someone with authority of the merchant. Further, the transaction record is decrypted by the merchant computer and the transaction

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information is extracted. The merchant is able to easily verify the exact time an order was placed and whether or not a particular delivery was late and may offer substantial discounts for late deliveries; restricting the access to corresponding role by defined user, at least two of the users having different roles **(merchant uses its own secret/public-key cryptographic system so that no other party may re-encrypt an altered version of the transaction record. See col. 5, lines 25-52); the step of including one of correcting a transaction, canceling a portion of the transaction, repeating a portion of the transaction as part of a new transaction, and modifying a portion of the transaction** **(allows the customer to choose options such as "Place Order" and Cancel Order". See col. 3, line 67 and col. 4, line 1).**

From this teaching of Robinson, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tognazzini to include the access to a plurality of authorized users by the merchant; the restriction to the access to corresponding role by defined user, at least two of the users having different roles; the step of including one of correcting a transaction, canceling a portion of the transaction, repeating a portion of the transaction as part of a new transaction, and modifying a portion of the transaction, as taught by Robinson, in order to assure that transaction record has not been tampered with and to provide flexibility to the users (See e.g., *Robinson col. 2, lines 66-67*).

Response to Arguments

5. Applicants' remarks with respect to claims 38-41 and 45-58 have been fully considered and are not persuasive. Applicants argue "the teaching of Robinson is unrelated to accessing a record". However, in col. 8, lines 38-57, Robinson teaches "in case of a dispute, a customer presenting a digital receipt page to the merchant computer " and "the merchant extracting the transaction data". Furthermore, the Examiner concludes that a dispute (which initiates a transaction) may well involve modifying a portion of the transaction, like offering a substantial discount for late deliveries (see e.g. col. 6, line 60) or for billing issues (see e.g. col. 1, lines 61-67).

Applicants' argue neither Tognazzini, nor Francini nor Robinson disclose wherein the transaction record is accessible to a plurality of users and the transaction database restricts access by a user to the transaction records corresponding to a role defined for the user". The Examiner respectfully disagrees. In one embodiment, Robinson teaches a service provider operating the merchant's computer in close cooperation with and under the authority of the merchant. It is inherent that the service provider (multiple users – merchant, service provider) will have access to the transaction records (see e.g. col. 7, lines 39-43). The merchant's secret key is a mean for restricting access to the transaction records (see e.g. col. 5, lines 25-52). The combination of Tognazzini, Francini, and Robinson teach Applicants' claimed limitations.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luna Champagne whose telephone number is (571) 272-7177. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

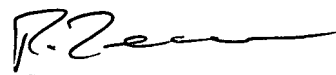
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Luna Champagne
Examiner
Art Unit 3627

August 20, 2007

 8/24/07
F. RYAN ZEENDER
SUPERVISORY PATENT EXAMINER